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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MILAGRO MORAGA et al.,

Defendant.

Case No. CR 16-00159 WHA

**DEFENDANT MORAGA'S
MOTION FOR LEAVE TO
REPLACE DOCUMENTS
PUBLICLY FILED ON ECF WITH
REDACTED VERSIONS;

[PROPOSED] ORDER**

On September 9, 2016, counsel for Defendant Milagro Moraga publicly filed, via ECF, a motion to suppress and several supporting declarations. It has come to defense counsel's attention that several of these documents were inadvertently filed without the proper redaction of sensitive personal information. *See* Fed. R. Crim. 49.1; Cal. Pen. Code §§ 11105, 11142 (pertaining to rap sheets).

Ms. Moraga's counsel has consulted with the Clerk's Office seeking guidance with respect to remedying this issue. Based on those conversations, Ms. Moraga's counsel respectfully submits this motion requesting leave to replace the following documents, publicly filed on ECF, with redacted versions of those documents:

- **Docket #75** (Defendant Moraga's Notice of Motion and Motion to Suppress; Request for Franks Hearing).
- **Docket # 77** (Declaration of Carmen Smarandoiu in Support of Motion to Suppress);
Docket # 77-1 (Exhibit A to Smarandoiu Decl.); **Docket # 77-5** (Exhibit E to Smarandoiu Decl.); **Docket # 77-8** (Exhibit H to Smarandoiu Decl.); **Docket # 77-9** (Exhibit I to Smarandoiu Decl.); **Docket # 77-10** (Exhibit J to Smarandoiu Decl.);
Docket # 77-11 (Exhibit K to Smarandoiu Decl.).
- **Docket # 79** (Declaration of Fredrick Anderson in Support of Motion to Suppress);
Docket # 79-1 (Exhibit A to Anderson Decl.).

Specifically, if this Court grants Ms. Moraga's motion, her counsel will provide the Clerk's Office with redacted versions of the originally filed .pdf documents identified above. The Clerk's Office will then replace the unredacted .pdf files currently contained on ECF with the redacted versions provided by Ms. Moraga's counsel.

Dated: September 14, 2016

Respectfully submitted,

/s/

CARMEN SMARANDOIU
Assistant Federal Public Defender

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[PROPOSED] ORDER

For good cause shown, the Court hereby GRANTS Defendant Moraga's motion requesting leave to replace documents filed on ECF with redacted versions of those documents. Accordingly, the following documents, previously filed in this case, shall be substituted with redacted versions:

- **Docket #75** (Defendant Moraga's Notice of Motion and Motion to Suppress; Request for Franks Hearing).
- **Docket # 77** (Declaration of Carmen Smarandoiu in Support of Motion to Suppress);
Docket # 77-1 (Exhibit A to Smarandoiu Decl.); **Docket # 77-5** (Exhibit E to Smarandoiu Decl.); **Docket # 77-8** (Exhibit H to Smarandoiu Decl.); **Docket # 77-9** (Exhibit I to Smarandoiu Decl.); **Docket # 77-10** (Exhibit J to Smarandoiu Decl.);
Docket # 77-11 (Exhibit K to Smarandoiu Decl.).
- **Docket # 79** (Declaration of Fredrick Anderson in Support of Motion to Suppress);
Docket # 79-1 (Exhibit A to Anderson Decl.).

Consistent with this order, Ms. Moraga's counsel shall provide the Clerk's Office with redacted versions of the .pdf files that were filed on ECF. The Clerk's Office shall then replace the unredacted .pdf files currently contained on ECF with the redacted .pdf files provided by Moraga's counsel.

IT IS SO ORDERED.

Dated: September 15, 2016.



WILLIAM H. ALSUP
United States District Judge